

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**

SONY MUSIC ENTERTAINMENT, *et al.*,

Plaintiffs,

v.

COX COMMUNICATIONS, INC., *et al.*,

Defendants.

Case No. 1:18-cv-00950-LO-JFA

**PLAINTIFFS DEPOSITION DESIGNATIONS**

Pursuant to the Court's July 22, 2019 Order Modifying the Pretrial Schedule (Docket No. 223), Federal Rules of Civil Procedure 26(a)(3) and 32(a)(3), and the Local Rules, Plaintiffs Sony Music Entertainment, et al. ("Plaintiffs") hereby submit their deposition designations for trial in the above-captioned matter as attached hereto in Exhibit A.

Plaintiffs submit the designations attached hereto without waiving any of their rights. Plaintiffs respectfully reserve the right to amend or supplement these designations in response to any counter-designations provided by Defendants. Plaintiffs further respectfully reserve the right to amend or supplement these designations in light of any testimony inadvertently omitted from the current designations or which comes to Plaintiffs' attention after this filing, and for which reasonable notice is given to Cox. Plaintiffs further respectfully reserve the right to object to Defendants' use of any testimony in Plaintiffs' designations on any appropriate grounds, and by including testimony in its designations, Plaintiffs do not waive any objections to the admissibility of any testimony. Plaintiffs further respectfully reserve the following rights with respect to the designated testimony: 1) to use some or none of the designated testimony at trial; 2) to supplement or amend the attached deposition designations in response to the Court's rulings on

the pending or to be filed summary judgment motions, *Daubert* motions, or motions *in limine*; and 3) to use additional portions of depositions for impeachment or any other permissible purposes.

Dated: September 18, 2019

Respectfully submitted,

/s/ Scott A. Zebrak

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